

REMARKS**Claim Status**

Claims 1-29 are pending in the application. Claims 1, 15, 18, 21, 24, and 27 are the independent claims of the instant application.

Allowable Subject Matter

The Applicants gratefully acknowledge notification of allowable subject matter in claims 2-6, 16, 19, 20, 22, 23, 25, 26, 28, and 29.

Art Rejections

The Office Action rejected claims 1, 7-14, 24, and 27 of the application under 35 U.S.C. §102(e) as being anticipated by Kleiman, U.S. Patent Number 6,317,844 (“Kleiman” hereinafter”). The Office Action rejected claims 15, 17, 18, and 21 under 35 U.S.C. §102(e) as being anticipated by Iwamoto *et al.*, U.S. Patent Number 5,604,900 (“Iwamoto” hereinafter). We respectfully traverse these rejections.

Each independent claim of the application recites a method of operating a file system that includes a zombie filesystem not accessible to users. Each of the methods of these claims includes a step involving the zombie filesystem. The *Lexicography* section of the present application defines the term *zombie filesystem* as follows: “zombie filesystem — This term generally refers to a portion of the file system where files are not available to users in normal operation, but can still be manipulated by the file system as if they were normal files.” Application, at page 10, lines 1-3.

According to the Office Action, Kleiman discloses a method of operating a filesystem that includes a zombie filespace not accessible to users, in column 3, lines 34-42. This text is quoted below:

The first file server 110 includes a first server request memory 160 (also referred to as a file server change memory herein), which receives the file server requests 151 and records them. In the event the first file server 110 recovers from a power failure or other service disruption, the outstanding file server requests 151 in the first server request memory 160 are re-performed to incorporate them into a next consistent state of the file system maintained by the first file server 110.

Kleiman, col. 3, lines 34-42. We have not been able to discern a disclosure of zombie filespace not accessible to users in the cited text, or elsewhere in Kleiman. At least for this reason, we respectfully submit that independent claims 1, 24, and 27 are not anticipated by Kleiman.

The Office Action also stated that Iwamoto teaches a method of operating a filesystem that includes a zombie filespace not accessible to users, in column 2, lines 46-48 and in column 3, lines 15-27. In column 2 Iwamoto describes one object of his invention, which is “to provide a method and system capable of dynamically expanding a file without interception of job execution.” Iwamoto, col. 2, lines 46-48. The cited text of Iwamoto’s column 3 appears below:

file expansion timing detecting means for detecting that the actual remaining space of the file becomes equal to or less than the registered remaining empty space at which the expansion timing is set to issue a file expansion request;

asynchronous file expanding means responsive to the file expansion request issued from the file expansion timing detecting means, for forming and storing in a space management information store memory, new space management information in accordance with the registered allocated expansion space information, and executing a space expanding process and an initializing process to the file, in parallel with continuing a record input/output process relative to the already existing space before the space expansion;

Iwamoto, col. 3, lines 14-26. As in the case of Kleiman discussed in the immediately preceding paragraph, we have not been able to identify disclosure of zombie file space that is not accessible to user in Iwamoto's cited portions, or elsewhere in Iwamoto. At least for this reason, we respectfully submit that independent claims 15, 18, and 21 are not anticipated by Iwamoto.

The above discussion addresses all independent claims of the present application. As regards dependent claims not specifically discussed, they are patentable together with their respective base claims and intervening claims, if any.


CONCLUSION

For the foregoing reasons, Applicants respectfully submit that all pending claims are patentable over references of record. To discuss any matter pertaining to the present application, the Examiner is invited to call the undersigned attorney at (858) 720-9431.

Having made an effort to bring the application in condition for allowance, a timely notice to this effect is earnestly solicited.

Respectfully submitted,

Dated: September 3, 2004


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